

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. § 371

63 Rec'd PCT/PTO 22 DEC 1998

U.S. APPLICATION NO. (If known, see 37 C.F.R. § 1.5):

INTERNATIONAL APPLICATION NO.  
PCT/JP97/02221

INTERNATIONAL FILING DATE  
June 26, 1997

PRIORITY DATE CLAIMED  
June 26, 1996

TITLE OF INVENTION: THERAPEUTIC AGENT FOR ACUTE LUNG INJURY RESULTING FROM INDIRECT CAUSES  
COMPRISING ANTI-IL-8 ANTIBODY AS ACTIVE INGREDIENT

09/202791

APPLICANT(S) FOR DO/EO/US: Kouji MATSUSHIMA, Kenji YOKOI

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. § 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. § 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. § 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. § 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. § 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. § 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. § 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. § 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. § 371(c)(4)) (executed).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. § 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 C.F.R. §§ 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. §§ 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: return receipt postcard

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: EJ004415017US

Date of Deposit: December 22, 1998

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

  
Lisa R.F. Barber

U.S. APPLICATION NO. (if known, see 37 C.F.R. § 1.5)		INTERNATIONAL APPLICATION NO. PCT/JP97/02221		DOCKET NUMBER: 350292000500	
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17. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 C.F.R. §§ 1.492(a)(1)-(5)):</b> Search Report has been prepared by the EPO or JPO .....\$840.00 International preliminary examination fee paid to (USPTO (37 C.F.R. § 1.482)).....\$670.00 No international preliminary examination fee paid to USPTO (37 C.F.R. § 1.482) but international search fee paid to USPTO (37 C.F.R. § 1.445(a)(2)) .....\$760.00 Neither international preliminary examination fee (37 C.F.R. § 1.482) nor international search fee (37 C.F.R. § 1.445(a)(2)) paid to USPTO .....\$970.00 International preliminary examination fee paid to USPTO (37 C.F.R. § 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).....\$96.00				<b>CALCULATIONS PTO USE ONLY</b>	
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$840.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. § 1.492(e)).				\$0	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$0	
Total claims	67 - 20 =	47	x \$18.00	\$846.00	
Independent claims	4 - 3 =	1	x \$78.00	\$78.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$260.00	\$260.00	
TOTAL OF ABOVE CALCULATIONS =				\$2024.00	
Reduction by ½ for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 C.F.R. §§ 1.9, 1.27, 1.28)				\$	
SUBTOTAL =				\$	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. § 1.492(f)).				+	\$
TOTAL NATIONAL FEE =				\$2024.00	
Fee for recording the enclosed assignment (37 C.F.R. § 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. §§ 3.28, 3.31). \$40.00 per property				+	\$40.00
TOTAL FEES ENCLOSED =				\$2064.00	
				Amount to be refunded:	\$0
				charged:	\$0

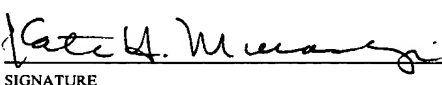
a. ☒ A check in the amount of \$2,064.00 to cover the above fees is enclosed.

b. ☒ The Assistant Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to Deposit Account No. 03-1952.

**NOTE:** Where an appropriate time limit under 37 C.F.R. § 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. § 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Kate H. Murashige  
 Morrison & Foerster LLP  
 2000 Pennsylvania Avenue, N.W.  
 Washington, D.C. 20006-1888

  
 SIGNATURE  
  
 Kate H. Murashige  
 Registration No. 29,959